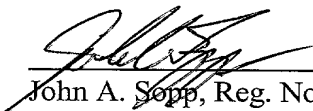


REMARKS

The purpose of this Preliminary Amendment is to eliminate multiple dependent claims in order to avoid the additional fee. Applicants reserve the right to reintroduce claims to canceled combined subject matter.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned "**Version With Markings to Show Changes Made**".

Respectfully submitted,



John A. Sopp, Reg. No. 33,103

Attorney for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.

Arlington Courthouse Plaza 1

2200 Clarendon Boulevard, Suite 1400

Arlington, VA 22201

Direct Dial: 703-812-5315

Facsimile: 703-243-6410

Email: sopp@mwzb.com

AJZ(JAS):jmm

FILED: 4 SEPTEMBER 2001

VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claims 8, and 10-11 have been amended as follows:

8. (Amended) A DNA coding for a polypeptide of ~~any of the~~ claims 1-7.
10. (Amended) Pharmaceutical preparation comprising a polypeptide according to ~~any of the~~ claims 1-7, where appropriate, together with suitable excipients, carriers and other active ingredients.
11. (Amended) An antibody directed to a polypeptide according to claims 1-7.

09/914831
JC03 Rec'd PAT. TO 04 SEP 2001

SEQUENCE LISTING

<110> Merck Patent GmbH

<120> Histidine Protein Phosphatase

<130> Histidine Phosphatase Protein

<140>

<141>

<160> 11

<170> PatentIn Ver. 2.1

<210> 1

<211> 375

<212> DNA

<213> Homo sapiens

<220>

<221> CDS

<222> (1)..(375)

<223> Human histidine protein phosphatase

<400> 1

atg gcg gtg gcg gac ctc gct ctc att cct gat gtg gac atc gac tcc
48

Met Ala Val Ala Asp Leu Ala Leu Ile Pro Asp Val Asp Ile Asp Ser
1 5 10 15

gac ggc gtc ttc aag tat gtg ctg atc cga gtc cac tcg gct ccc cgc
96

Asp Gly Val Phe Lys Tyr Val Leu Ile Arg Val His Ser Ala Pro Arg
20 25 30

tcc ggg gct ccg gct gca gag agc aag gag atc gtg cgc ggc tac aag
144

Ser Gly Ala Pro Ala Ala Glu Ser Lys Glu Ile Val Arg Gly Tyr Lys
35 40 45

tgg gct gag tac cat gcg gac atc tac gac aaa gtg tcg ggc gac atg
192

Trp Ala Glu Tyr His Ala Asp Ile Tyr Asp Lys Val Ser Gly Asp Met
50 55 60

cag aag caa ggc tgc gac tgt gag tgt ctg ggc ggc ggg cgc atc tcc